

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27468 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- Kalibagh District- West Champaran

Sumit Kumar Son of Ashok Sah Resident of village - Barhari, Ps- Barhara
Kothi, Dist- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Kumar Son of Ayodhya Shah Village- New Colony, Rajendra Nagar,
Ward no. 4, ps- Kalibagh O.P., Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate.
Ms. Diksha Kumari, Advocate.
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 06-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kalibagh O.P. P.S. Case No. 02 of 2024 for the offence
punishable under Sections 363 and 366 of the Indian Penal Code
and Section 8 of the POCSO Act.

3. Allegation is of kidnapping of minor daughter of
the informant on the pretext of marriage.

4. Learned senior counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
falsely been implicated in this case. He further submitted that
the petitioner and the victim were in love relationship and both



are major. The victim in her statement recorded under Section 164 Cr.P.C. / Section 183 BNSS has stated that the petitioner has neither assaulted her physically nor committed any sexual wrong with her. The petitioner is in custody since 28.02.2025 having clean antecedent.

5. Mr. Ritik, learned counsel has tendered his appearance on behalf of the informant and he also admits that the victim in her statement recorded under Section 164 Cr.P.C. / Section 183 BNSS has not supported the allegation made in the F.I.R.

6. Learned A.P.P. for the State has supported the argument advanced on behalf of the informant.

7. Considering the allegation made in the F.I.R., as well as, the material surfaced in course of investigation and also the statement of the victim recorded under Section 164 Cr.P.C. / Section 183 BNSS has not supported the prosecution story, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-VI, Bettiah in connection with Kalibagh O.P. P.S. Case No. 02 of 2024, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

